

10/032162

2048/59331-AZ/JPW/AG

cofc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: James M. Binley et al.

Patent No.: 7,022,324 B2

Issued: April 4, 2006

For: STABILIZED VIRAL ENVELOPE PROTEINS AND USES THEREOF

APR 16 2008
of Correction

1185 Avenue of the Americas
New York, New York 10036
April 10, 2008

Attn: Certificate of Correction Branch

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

REQUEST FOR A CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.323

Patentees hereby request that the Director of the U.S. Patent and Trademark Office issue a Certificate of Correction under 37 C.F.R. §1.323 in connection with the above-identified patent. Specifically, 37 C.F.R. §1.323 states that "[t]he Office may issue a certificate of correction under the conditions specified in 35 U.S.C. 255 at the request of the patentee or the patentee's assignee upon payment of the fee set forth in §1.20(a).

Patentees attach as **Exhibit A** hereto, Form PTO/SB/44 (PTO-1050) indicating the corrections to be made in the subject patent. The corrections are as follows:

Section (73) Assignee should read "Progenics Pharmaceuticals, Inc., Tarrytown, NY (US); **Aaron Diamond AIDS Research Center** PTO
Patent Publication

Patentees: James M. Binley et al.
U.S. Patent No.: 7,022,324 B2
Issued: April 4, 2006
Page 2 of 3

(ADARC), New York, NY (US)" instead of "Progenics Pharmaceuticals, Inc., Tarrytown, NY (US)".

Patentees maintain that this error is an error which occurred as a result of Patentees' mistake. Specifically, Patentees erroneously listed only Progenics Pharmaceuticals Inc. as the Assignee in Section 3 of the Issue Fee Transmittal Form PTOL-85 submitted to the U.S. Patent and Trademark Office on September 28, 2004 in connection with U.S. Serial No. 10/032,162, the application from which the subject patent issued. A copy of the Issue Fee Transmittal Form is attached hereto as **Exhibit B**. Applicants maintain that the subject patent is co-owned. As evidence, applicants attach hereto as **Exhibit C** and **D** copies of the Assignment and Notice of Recordation for each of Progenics Pharmaceuticals, Inc. and Aaron Diamond AIDS Research Center (ADARC), respectively. Applicants submit herewith a check in the amount of one hundred dollars (\$100.00), i.e. the fee set forth under 37 C.F.R. §1.20(a). Patentees therefore respectfully request that the error in the listing of assignees in Section 73 on the first page of the subject patent be corrected as set forth above, and a certificate of correction reflecting such correction be issued.

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Patent Publication

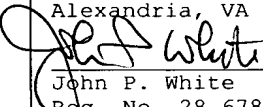
APR 16 2008

Patentees: James M. Binley et al.
U.S. Patent No.: 7,022,324 B2
Issued: April 4, 2006
Page 3 of 3

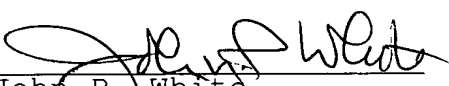
No fee, other than the enclosed fee of \$100.00 under 37 C.F.R. §1.20(a), is deemed necessary in connection with the filing of this Request For A Certificate Of Correction under 37 C.F.R. §1.323. However, if any additional fee is necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450


John P. White
Reg. No. 28,678


Date


John P. White
Registration No. 28,678
Attorney for Patentees
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036
(212) 278-0400

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APR 16 2008

EXHIBIT A

RECEIVED-USPTO
Patent Publication
APR 16 2008

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,022,324 B2
DATED : April 4, 2006
INVENTOR(S) : James M. Binley, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Section (73) on the first page of the patent which currently indicates the Assignee name as "Progenics Pharmaceuticals, Inc., Tarrytown, NY (US)" should read as follows:

--Section (73) Assignee: Progenics Pharmaceuticals, Inc.,
Tarrytown, NY (US); Aaron Diamond
AIDS Research Center (ADARC),
New York, NY (US)--

MAILING ADDRESS OF SENDER:

John P. White, Esq.
Cooper & Dunham LLP
1185 Avenue of the Americas

PATENT NO. 7,022,342 B2

No. of additional copies

➡ 1

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR 16 2008

Applicants: J.M.Binley et al.
Patent No.: 7,022,324 B2
Issued: April 4, 2006
Exhibit A

EXHIBIT B

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PUBLICATION

APR 16 2003

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

06/29/2004

John P. White
 Cooper & Dunham LLP
 1185 Avenue of the Americas
 New York, NY 10036

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

John P. White	(Depositor's name)
<i>[Signature]</i>	(Signature)
September 28, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,162	12/21/2001	James M. Binley	59331-AZ/JPW/SHS	5928

TITLE OF INVENTION: STABILIZED VIRAL ENVELOPE PROTEINS AND USES THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	09/29/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
PARKIN, JEFFREY S	1648	424-188100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. John P. White
2. Cooper & Dunham LLP
- 3.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Progenics Pharmaceuticals, Inc.

Tarrytown, New York

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee
- ☒ Advance Order - # of Copies 13

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 03-325 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

John P. White, Reg. No. 28,678 September 28, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Applicants: J.M. Binley et al
 Patent No.: 7,022,324 B2
 Issued: April 4, 2006
 Exhibit B

APR 16 2008

EXHIBIT C

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593310 JPW
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 29, 2001

PTAS

COOPER & DUNHAM, LLP
JOHN P. WHITE
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



101647034A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/08/2001

REEL/FRAME: 011606/0092

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCHUELKE, NOBERT

DOC DATE: 10/19/2000

ASSIGNOR:

OLSON, WILLIAM C.

DOC DATE: 10/19/2000

ASSIGNOR:

MADDON, PAUL J.

DOC DATE: 10/19/2000

ASSIGNEE:

PROGENICS PHARMACEUTICALS, INC.
777 OLD SAW MILL RIVER ROAD
TARRYTOWN, NEW YORK 10591

SERIAL NUMBER: 09602864

FILING DATE: 06/23/2000

PATENT NUMBER:

ISSUE DATE:

AP

Applicants: J.M.Binley et al.
Patent No.: 7,022,324 B2
Issued: April 4, 2006
Exhibit C

RECEIVED-USPTO
1 MAY 16 2003

APR 16 2003

Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

Norbert Schuelke residing at 101 Ridge Road, New City, New York 10956,
William C. Olson residing at 21 Fawn Court, Ossining New York 10562, U.S.A. and
Paul J. Maddon residing at 191 Fox Meadow Road, Scarsdale, New York 10583,
U.S.A.

Hereby sell, assign and transfer to Progenics Pharmaceuticals, Inc.

a corporation of the State of

Delaware having a place of business at 777 Old Saw Mill River Road

Tarrytown in the County of Westchester and State of New York 10591, U.S.A.

its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on 10/19/00; 10/3/00 and is entitled 10/19/00

STABILIZED VIRAL ENVELOPE PROTEINS AND USES THEREOF

(U.S. Serial No. 09/602,864, filed June 23, 2000, continuation-in-part and claiming priority of U.S. Provisional Application No. 60/141,168, filed June 25, 1999)

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

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Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 10/19 2000 Norbert Schuelke [L.S.]
Witness: Scott A. Smith
Scott A. Smith
15 Watkins Ave.
Middletown, NY 10940

Date: 10/19 2000 William C. Olson [L.S.]
Witness: Scott A. Smith
Scott A. Smith
15 Watkins Ave.
Middletown, NY 10940

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PATENT DIVISION

APR 16 2008

Paul J. Maddon [L.S.]

Date: 10/19 2000

Witness: Scott A. Smith

Scott A. Smith

15 Watkins Ave.

Middletown, NY 10940

Paul J. Maddon

_____[L.S.]

Date: _____ 20

Witness: _____

_____[L.S.]

Date: _____ 20

Witness: _____

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EXHIBIT D

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54370A JPW
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 29, 2001

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COOPER & DUNHAM LLP
JOHN P. WHITE
1185 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/08/2001

REEL/FRAME: 011606/0025
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BINLEY, JAMES M.

DOC DATE: 02/02/2001

ASSIGNOR:

MOORE, JOHN P.

DOC DATE: 02/01/2001

ASSIGNEE:

AARON DIAMOND AIDS RESEARCH CENTRE
(ADARC)

455 FIRST AVENUE, 7TH FLOOR
NEW YORK, NEW YORK 10016

SERIAL NUMBER: 09602864

PATENT NUMBER:

FILING DATE: 06/23/2000

ISSUE DATE:

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

AP
Applicants: J.M.Binley et al.
Patent No.: 7,022,324 B2
Issued: April 4, 2006
Exhibit D

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APR 16 2008

Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

*James M. Binley residing at 141 Wyckoff Street, Brooklyn, New York 11217, U.S.A.
and John P. Moore residing at 500 East 63rd Street, New York, New York 10021,
U.S.A.*

Hereby sell, assign and transfer to Aaron Diamond AIDS Research Centre (ADARC)

a corporation of the State of

New York having a place of business at 455 First Avenue, 7th Floor.

New York in the County of New York and State of New York, 10016, U.S.A.

its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on 2/2/01; 2/1/01 and is entitled

STABILIZED VIRAL ENVELOPE PROTEINS AND USES THEREOF

(U.S. Serial No. 09/602,864, filed June 23, 2000, continuation-in-part and claiming priority of U.S. Provisional Application No. 60/141,168, filed June 25, 1999)

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

APR 16 2008

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 2/2/01 20
Witness: [Signature] 2/2/01

[Signature] 2/2/01 [L.S.]
James M. Binley

Date: 2/2/01 20
Witness: [Signature] 2/2/01

[Signature] [L.S.]
John P. Moore

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FARM PUBLICATION

APR 16 2008

ASSIGNMENT
BY

JAMES M. BINLEY
JOHN P. MOORE

TO

AARON DIAMOND AIDS RESEARCH CENTRE
(ADARC)

Application for Letters Patent
of the United States for:

STABILIZED VIRAL ENVELOPE PROTEINS
AND USES THEREOF

Attorney ~~TAK~~ John P. White

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, N.Y. 10036

212-278-0400

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